



US Army Corps
of Engineers®

Seattle District

Public Notice

Navigation Section
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Attn: Elizabeth Chien (OD-TS-NS)
or Chemine Jackels (PM-ER)

Notice Date: 12 July 2017
Expiration Date: 12 August 2017
Reference: CENWS-PM-ER-17-07

U.S. ARMY CORPS OF ENGINEERS, WESTHAVEN COVE SMALL BOAT BASIN
MAINTENANCE DREDGING AND DISPOSAL, WESTPORT, WASHINGTON, FISCAL
YEARS 2018 TO 2027

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps) plans to conduct routine dredging and disposal activities associated with maintenance of the Westhaven Cove Small Boat Basin in Westport, WA. The maintenance dredging and disposal program for fiscal years (FY) 2018 - 2027 is described below, and the location of the proposed dredging and disposal sites are shown on the attached plans (Attachment A). The dredging would be performed one or multiple times during the designated period as necessitated by shoaling conditions within the basin, and as permitted by the availability of Federal resources. Each dredging episode is expected to extend approximately 2-3 weeks. The purpose of this Public Notice is to solicit comments from interested persons, groups, and agencies on the Corps' proposal for disposal of dredged material into the waters of the U.S.

This Public Notice is being issued in accordance with rules and regulations published as 33 CFR 335 "Operation and Maintenance of Army Corps of Engineers Civil Works Projects Involving the Discharge of Dredged or Fill Material into Waters of the U.S. or Ocean Waters"; 33 CFR 336 "Factors to be Considered in Evaluation of Army Corps of Engineers Dredging Projects Involving the Discharge of Dredged Material into Waters of the U.S. and Ocean Waters"; 33 CFR 337 "Practice and Procedure"; and 33 CFR 338 "Other Corps Activities Involving the Discharge of Dredged Material or Fill into Waters of the U.S."

PURPOSE AND PROJECT OBJECTIVE

The purpose of the project is to maintain authorized depths at the two entrance channels, access channel, and turning basin of the Westhaven Cove Small Boat Basin for the safe transit of vessels. Maintenance of the basin waterways is important because the commercial and tribal fishing fleets moored in the marina served by this basin are critical to the local economy.

AUTHORITY

Breakwater facilities enclosing the Westhaven Cove Small Boat Basin were authorized by the Rivers and Harbors Act of 30 June 1948 (Pub. Law 80-858, 80th Congress, 2nd Session). Once the Port of Grays Harbor completed construction of the initial (northwest) entrance channel and

the first component of berthing facilities within the boat basin in 1952, the United States assumed thereafter the obligation to maintain that 100-foot-wide entrance channel to a depth of -16 feet MLLW. Under the authority of Section 107 of the Rivers and Harbors Act of 1960 (Pub. Law 86-695, 86th Congress, 2nd Session), as amended, in 1979 the Corps constructed a second (southeast) entrance channel, a central access channel within the boat basin, and a turning basin, along with additional improvements to the breakwater facilities. All channel segments and the turning basin footprint are maintained to an authorized depth of -16 feet MLLW.

PROPOSED PROJECT

The proposed work would dredge up to 75,000 cubic yards (cy) of material per dredging event from the boat basin and dispose of it at two open water disposal sites over the ten-year period of FY 2018 - 2027. The tentatively preferred alternative calls for dredging to be conducted with a clamshell dredge during the designated work window of 16 July through 31 January. All dredging would occur within the federally authorized footprint for the two entrance channels, boat slip access channel, and turning basin. The proposed dredged material has been tested and determined suitable for open water disposal, as found in the most recent suitability determination dated December 2014 by the regulatory agencies which have jurisdiction over dredged material disposal in open-water sites associated with Grays Harbor. Sediment testing includes both chemical and biological testing. All sediment testing data are available at the Corps Dredge Material Management Office

(<http://www.nws.usace.army.mil/Missions/CivilWorks/Dredging/SuitabilityDeterminations.aspx>).

Material would be transported via bottom-dump barge and released below the waterline for placement in one of the following designated dispersive aquatic disposal sites: Point Chehalis and South Jetty sites (see Figure 4).

To avoid impacts to bull trout and out-migrating juvenile salmon, USACE would only dredge within the designated work window of 16 July through 31 January. A clamshell dredge would be used under the tentatively preferred alternative to reduce entrainment of fish, shrimp, and crabs. A water quality monitoring plan would be developed that is consistent with the conditions and adheres to applicable criteria issued in the water quality certification from the Washington Department of Ecology associated with the disposal of dredged material into the waters of the U.S.

ENVIRONMENTAL COMPLIANCE

The proposed maintenance activities will be reviewed in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); Section 404 of the Clean Water Act (33 U.S.C. 1344); Coastal Zone Management Act of 1972 as amended (16 U.S.C. 1451 et seq.), and the National Historic Preservation Act of 1966 as amended (54 U.S.C. 300101 et seq.).

A Draft Environmental Assessment (EA) and 404(b)(1) evaluation have been prepared for this action and are posted at:

<http://www.nws.usace.army.mil/Missions/Environmental/Environmental-Documents/>

The Draft EA's public comment period is concurrent with the comment period for this Public Notice. The Draft EA will be available at the Timberland Regional Library branches in Aberdeen, Hoquiam, and Westport as well as the Ocean Shores Library. Once complete, the EA will be posted and available on the Seattle District web site listed above.

The Corps prepared a biological assessment addressing the dredging and transport of dredged material for review by U.S. Fish and Wildlife Service and National Marine Fisheries Service under Section 7(a)(2) of the Endangered Species Act. For ESA-listed species that occur within the vicinity of the project, a determination of "may affect, but not likely to adversely affect" has been made and was submitted to National Marine Fisheries Service and U.S. Fish and Wildlife Service. The dredging and disposal work window would be from 16 July to 31 January to avoid impacts to ESA listed species and their prey. Consultation has been concluded on placement of dredged material at multi-user aquatic disposal sites including the Point Chehalis and South Jetty sites with a "may affect, but not likely to adversely affect" determination.

The Corps is seeking a Clean Water Act Section 401 water quality certification from the Washington Department of Ecology. In conducting activities involving the discharge of dredged material into waters of the United States, the Corps will abide by the applicable conditions of the existing WQC to ensure compliance with State water quality standards. The Corps has determined that the proposed work is consistent to the maximum extent practicable with the enforceable policies of the approved Washington Coastal Management Program. State concurrence with this determination has been requested. The Corps has coordinated the work with the Washington State Historic Preservation Office (SHPO) and the Chehalis, Hoh, Quinault and Shoalwater Bay Tribes. The SHPO concurred with the Corps finding of "no historic properties affected" in a letter dated August 16, 2016

PUBLIC INTEREST EVALUATION

The decision to proceed with this disposal of dredged material will be preceded by a determination of whether the proposed activity would be in the public interest. All factors which may be relevant to the proposal's public interest will be considered; among those are navigation and the Federal standard for dredged material disposal; water quality; coastal zone consistency; wetlands; endangered species; historic resources; scenic and recreation values; fish and wildlife; marine sanctuaries; applicable state/regional/local land use classifications, determinations, and/or policies; conservation; economics; shoreline erosion and accretion; safety; and considerations of property ownership.

As a foundation for its public interest determination the Corps will consider, on an equal basis, all alternatives that are both reasonable and practicable, i.e., available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The Corps will select the alternative that represents the least costly alternative, constituting the discharge of dredged or fill material into waters of the United States in the least costly manner and at the least costly and most practicable location, that is consistent with sound engineering practices, and that meets the environmental standards established by the Clean Water Act Section 404(b)(1) evaluation process.

COMMENT AND REVIEW PERIOD

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the effects of this activity. To make this decision, comments are used to assess impacts on ESA listed species, historic properties, water quality, general environmental effects, and other public interest factors listed above. The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. Conventional mail or e-mail comments on this Public Notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. Submitted comments should include on the subject line the public notice number. The comment must include the commentator's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office no later than the expiration date of this public notice to ensure consideration.

PUBLIC HEARING

Any person may request, in writing and within the comment period specified in this Notice, that a public hearing be held to consider this proposal. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

COMMENTS TO THE CORPS OF ENGINEERS

Replies to this Public Notice should be mailed to reach the District Engineer, ATTN: CENWS-PM-ER-17-7, PO Box 3755, Seattle, Washington 98124-3755, not later than August 12, 2017 to assure consideration. Requests for additional information should be directed to Ms. Elizabeth Chien, Project Manager, (206) 764-3413 or via email at Elizabeth.A.Chien@usace.army.mil, or Ms. Chemine Jackels, Environmental Coordinator, (206) 764-3646 or via email at Chemine.R.Jackels@usace.army.mil.

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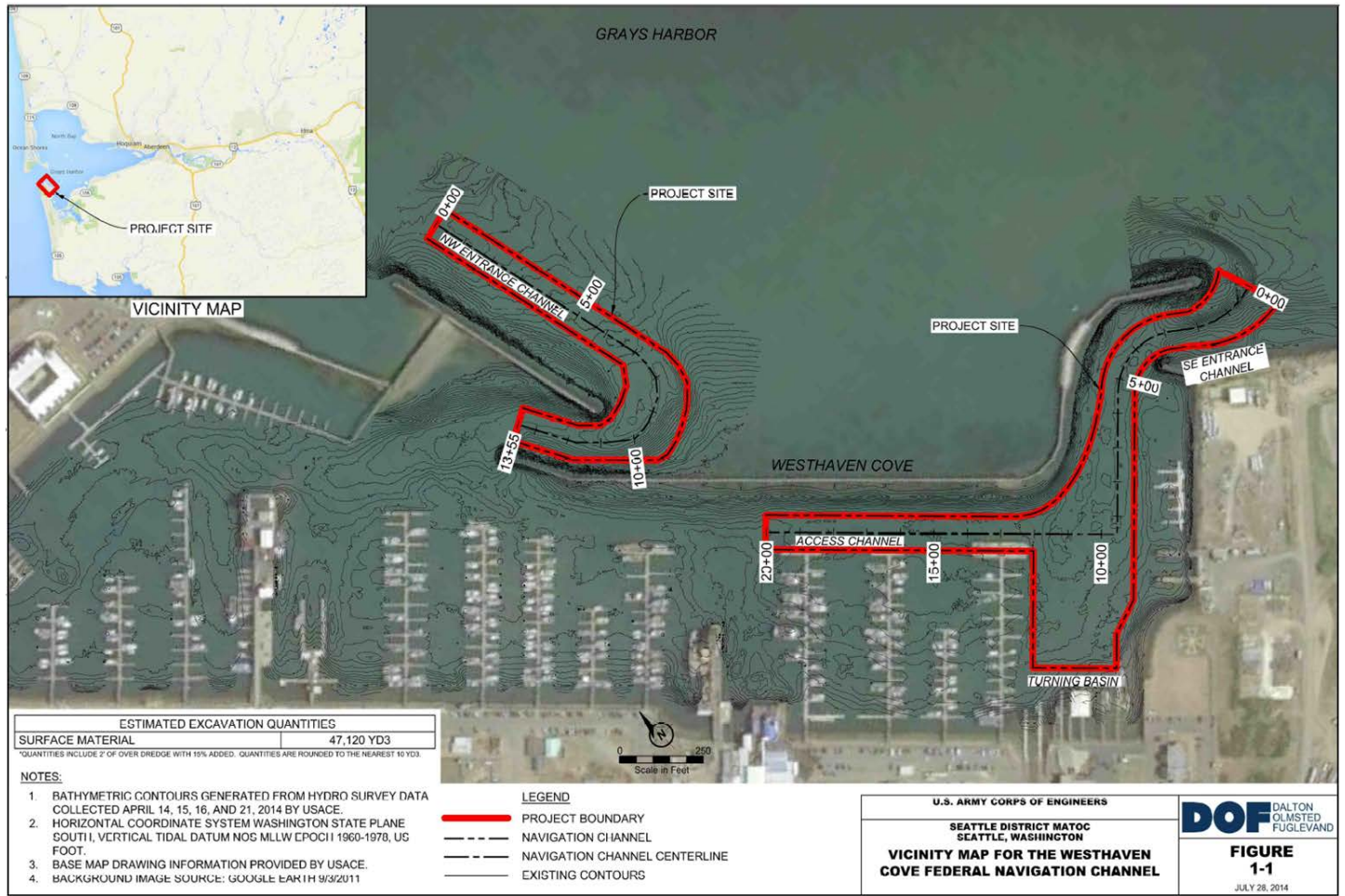


Figure 1. Navigation channels at Westhaven Cove Marina in Westport, Washington

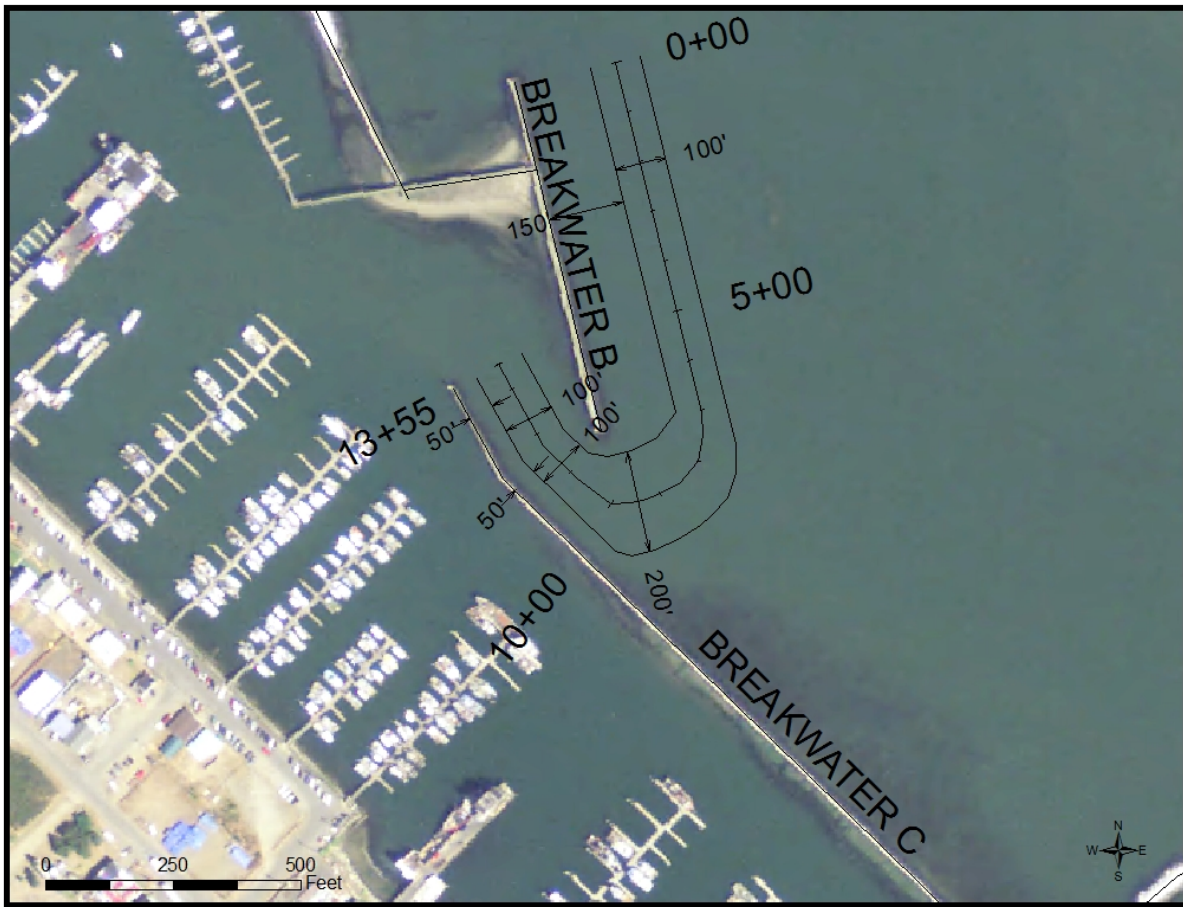


Figure 2. Westhaven Cove North Entrance Channel



Figure 3. Westhaven Cove South Entrance Channel, Turning Basin, and Access Channel

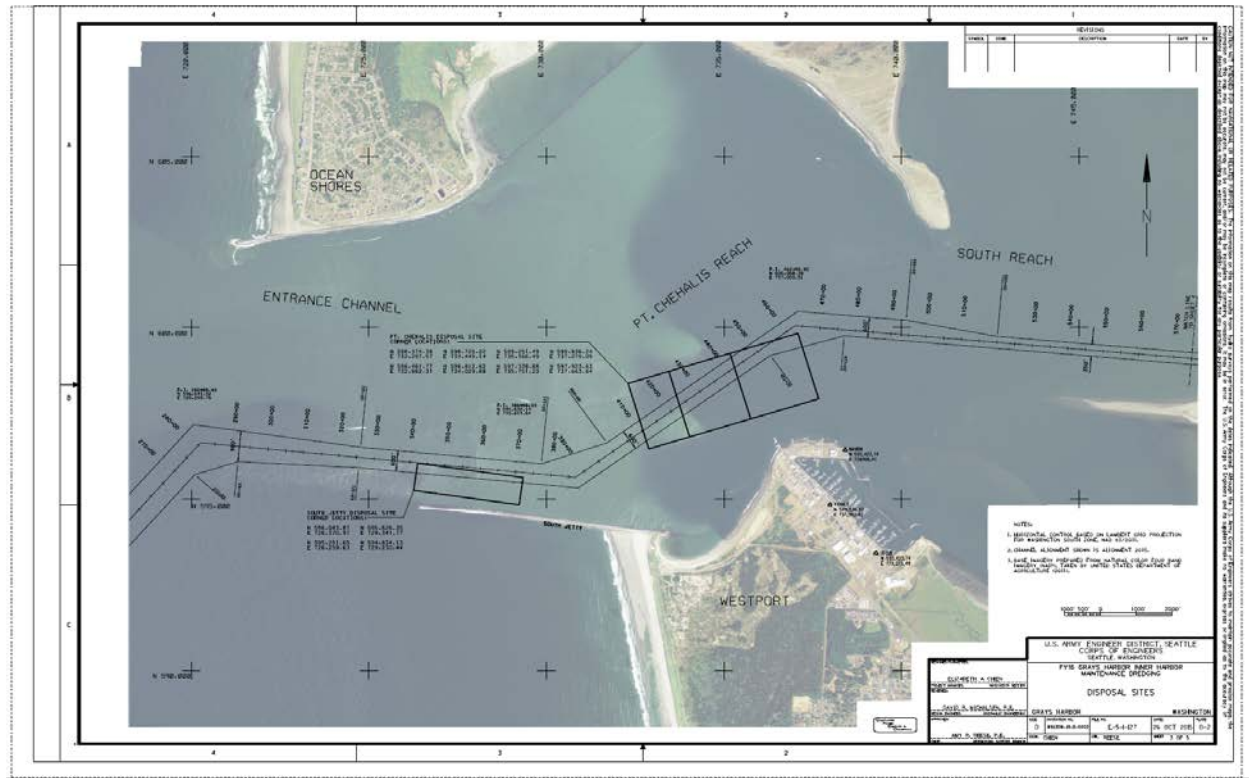


Figure 4. Point Chehalis and South Jetty Disposal Sites